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OFFICE OF PETITIONS

In re Application of
Joseph H. End
Application No. 10/632,872
Filed: August 1, 2003
Attorney Docket No. TN302

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ON PETITION

This is a decision on the papers styled, "Petition Responsive to the Notice to File Corrected Application Papers to Include Figure 17 In Patent Application," filed on August 6, 2004, which has been treated as a Petition under 37 CFR 1.53, requesting that the above-identified application be accorded a filing date of August 1, 2003, including Figure 17 as described in the specification.

The application was filed on August 1, 2003. However, on June 7, 2004, the Office of Initial Patent Examination (OIPE) mailed a "Notice To File Corrected Application Papers" (Notice) that stated the application had been accorded a filing date, but Figure 17 as described in the specification appears to have been omitted.

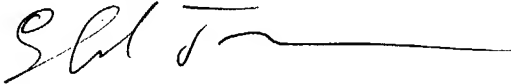
In response, on August 6, 2004 the instant petition and one (1) sheet of drawings (which include Figure 17) were submitted. The papers were accompanied by a copy of applicant's postcard receipt that acknowledges receipt of "21 shts. Of Formal Dwgs. (Figs. 1-17)," on August 1, 2003. A review of the application file indicates the presence of only twenty (20) sheets of drawings originally filed on August 1, 2003, with the sheet containing Figure 17 missing. It is assumed that the missing sheet of drawings containing Figure 17 was misplaced by the Office.

In view of the above, the petition is granted.

The \$130.00 petition fee submitted on August 6, 2004 will be refunded to deposit account no. 19-3790.

This application will be returned to OIPE for processing with a filing date of August 1, 2003, using the one (1) sheet of drawings, containing Figure 17, that was submitted with the petition on August 6, 2004.

Telephone inquiries concerning this matter may be directed to the undersigned at (703)306-9200.

A handwritten signature in black ink, appearing to read 'E. J. Tannouse', followed by a horizontal line.

Edward J. Tannouse
Senior Petitions Attorney
Office of Petitions
United States Patent and Trademark Office

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